

REPORT - PLANNING COMMISSION MEETING
August 11, 2005

Project Name and Number: **ANNUAL REPORT ON THE GENERAL PLAN AND HOUSING ELEMENT**
(PLN2005-00356)

Applicant: City of Fremont

Proposal: To consider an annual report on the status of the General Plan and Housing Element.

Recommended Action: Recommend annual report on the General Plan and Housing Element (this agenda report and Exhibit A) to Council.

Location: Citywide

Environmental Review: This project is statutorily exempt under CEQA Guidelines Section 15262, Feasibility and Planning Studies. Environmental analysis will be prepared for any subsequent proposals for General Plan Amendments or Zoning Text Amendments.

Public Hearing Notice: Public hearing notification is applicable. A total of 272 notices were mailed to organizations and individuals interested in housing issues, and persons entitled to notices, on July 29, 2005. A Public Hearing Notice was delivered to The Argus on July 25, 2005 to be published by July 28, 2005.

Executive Summary: State planning law requires cities to provide a status report on the General Plan, on or before October 1 of each year. The statute specifically requires an update on implementation of the Housing Element.

On July 17, 2003, the State Department of Housing and Community Development (HCD) informed the City of Fremont that the Housing Element adopted by the City Council on May 13, 2003 was found in compliance with State housing element law. HCD reiterated the importance of reporting on the progress in implementing identified Housing Element programs each year on October 1.

This report provides an annual review of the General Plan as well as progress in implementing the Housing Element since the last report on October 1, 2004.

Background: State planning law requires the City to prepare an annual status report on the General Plan. Specifically, Government Code Section 65400 (b) requires, in relevant part, that the City:

- (1) Provide an annual report to the legislative body, the Office of Planning and Research, and the Department of Housing and Community Development on the status of the plan and progress in its implementation, including the progress in meeting its share of regional housing needs ... and local efforts to remove governmental constraints to the maintenance, improvement, and development of housing....
- (2) The housing portion of the annual report required to be provided to the Office of Planning and Research and the Department of Housing and Community Development pursuant to this subdivision shall be prepared though the use of forms and definitions adopted by the Department of Housing and Community Development.... This report shall be provided to the legislative body, the Office of Planning and Research, and the Department of Housing and Community Development on or before October 1 of each year.

Because the Planning Commission is the advisory body to the City Council on the General Plan, the annual report is provided to the Planning Commission for its consideration and recommendation. This report provides an update on the status of the General Plan, and the Housing Element in particular, and the progress made in meeting goals and objectives for 2004 and 2005. The City Council will review the report at its September 27, 2005 meeting.

This report is divided into the following sections:

- I. A description of progress in meeting regional housing needs for fiscal year 2004/2005.
- II. A description of the progress in implementing various programs in the Housing Element.
- III. A description of the status of the General Plan activities during the fiscal year 2004/2005.

I. PROGRESS IN MEETING REGIONAL HOUSING NEEDS

The regional council of governments (the Association of Bay Area Governments (ABAG)) is charged by the State with the responsibility of determining the number of new housing units needed in a community. The State of California provides population estimates to each regional council of governments and that agency then allocates the estimated housing units needed among its member communities. During 1999-2000 ABAG developed the "Regional Housing Needs Determination" for its member communities and on March 15, 2001, the ABAG Board of Directors certified the final numbers. After determining the number of additional households expected by the end of the planning period, ABAG further quantified future households by income level. The goal of this analysis is to distribute lower income households equitably throughout a region, thereby avoiding undue concentrations of very low and low income households in one jurisdiction. The estimated number of housing units needed in Fremont, as determined and certified by ABAG, is set forth in Table 1 below and reflects the planning period from January 1, 1999 to June 30, 2006. This time period was subsequently extended to June 30, 2007 by the State legislature.

TABLE 1
FIVE YEAR HOUSING NEED BY INCOME CATEGORY (1999-2006)

Income Category	Five Year Need (Housing Units)
Very Low Income	1,079 households (16.0%)
Low Income	636 households (9.5%)
Moderate Income	1,814 households (27.0%)
Above Moderate Income	3,179 households (47.5%)
TOTAL	6,708 households (100%)

Source: 2001-2006 Housing Element based on Association of Bay Area Governments (ABAG) figures. Generally, Very Low Income households have incomes which do not exceed 50% of the area median income, Low Income households have incomes which do not exceed 80% of area median income, Moderate Income Households have incomes which do not exceed 120% of area median income, and Above Moderate Income households have incomes greater than 120% of area median income. (See Title 25 Cal. Code of Regs. §6910 *et. seq.*)

The ABAG Regional Housing Needs Determination was certified in 2001. Since these numbers were certified, units have been approved, and added to the housing stock. Thus, it is important to adjust the totals to reflect those units that have been added to the housing stock between January 1999 (the beginning of the planning period for this Housing Element) and the present. Table 2 includes information reflecting units added to Fremont's housing stock since 1999 and includes adjusted totals accordingly.

**TABLE 2
REVISED REGIONAL HOUSING NEED DETERMINATION 2002-2006**

HOUSEHOLD INCOME LEVEL	REGIONAL HOUSING NEED DETERMINATION (1999-2006)	UNITS ADDED TO HOUSING STOCK, 1999-2002	UNITS APPROVED / UNDER CONSTRUCTION 1/1/2002 – 6/30/2004	UNITS APPROVED 7/1/2004 – 6/30/2005	REVISED REGIONAL HOUSING NEED DETERMINATION (2002-2006)
Very Low	1,079 Units	138 Units	159 Units	100 Units	682 Units
Low	636 Units	34 Units	72 Units	0 Units	530 Units
Moderate	1,814 Units	13 Units	38 Units	0 Units	1,763 Units
Above Moderate	3,179 Units	1,516 Units	487 Units	902 Units	274 Units
Total	6,708 Units	1,701 Units	756 Units	1,002 Units	3,249 Units

Source: 2001-2006 Housing Element and City of Fremont Building Permit records January 1, 2002 to June 30, 2005.

Table 2 illustrates the City of Fremont's continued progress with housing production. During the reporting period of July 1, 2004 through June 30, 2005, Irvington Family Apartments, with 100 units, was approved. The 100 units are all designated for the very low income category. Irvington Family Apartments is being developed by BRIDGE Housing. A total of 902 units were approved for market rate development.

The Association of Bay Area Governments recently issued guidelines for the reporting of progress on the production of housing units. To be consistent with this form, a table (Table 3) has been included for Building Permit Activity Fiscal Year 2004/2005. Because of this requirement, some units will appear in both Tables 2 and 3, as they are reporting different events (i.e. discretionary approval versus building permit issuance.)

**TABLE 3
DEVELOPMENT ACTIVITY FISCAL YEAR 2004-2005**

HOUSEHOLD INCOME LEVEL	UNITS APPROVED 7/1/2004 – 6/30/2005	UNITS ISSUED BUILDING PERMITS 7/1/2004 – 6/30/2005	REVISED REGIONAL HOUSING NEED DETERMINATION (2002-2006)
Very Low	100 Units	60 Units	682 Units
Low	0 Units	72 Units	530 Units
Moderate	0 Units	32 Units	1,763 Units
Above Moderate	902 Units	260 Units	274 Units
Total	1,002 Units	424 Units	3,249 Units

Source: 2001-2006 Housing Element and City of Fremont Building Permit records July 1, 2004 to June 30, 2005.

During this reporting period, building permits were issued for Maple Square Apartments with 60 very low income units and 72 low income units. Construction of Maple Square Apartments began in January of 2005.

Building permits were also issued for 32 moderate income units during fiscal year 2004/2005. The building permits for moderate income units were a result of the City's Inclusionary Housing Ordinance, which requires that 15 percent of for-sale units be made available for purchase by families of moderate income. Mission Villas/Moreno Capistrano provided 8 below market rate (BMR) units, Sequoia Crossing provided 6 BMR units, Mayfield provided 14 BMR units, and Morrison Crossing provided 4 BMR units, all at the moderate income level.

Progress was also made on other housing developments reported in the Annual Report last year. Fremont Oak Gardens, with 30 very low and 20 low income units, was completed in June of 2005. Bridgeway East, with 18 very low income

units, was completed in July of 2005. Fremont Vista, with 4 very low and 16 low income units, was completed in December of 2004. Finally, Lincoln Street Apartments, with 11 very low income units, will begin construction in August of 2005.

II. PROGRESS IN IMPLEMENTATION OF THE HOUSING ELEMENT (ADOPTED MAY 2003, CERTIFIED JULY, 2003)

The Housing Element, in Chapter 8, identified a Housing Program Strategy with 5 goals, 12 policies and 47 programs. The attached Exhibit A (Status of Housing Element Implementation Programs) lists in detail the various Goals, Policies and Programs, with their current status. At this time, all of the implementation programs that have a determinant status have been completed. (Of the 47 implementation programs, 28 are of an on-going nature and 19 have a determinant status.)

The time period covered in this report is generally from August 2004 to August 2005. To provide comprehensive information on each of the program areas, relevant documentation from previous reports has been included in this report for programs that were completed or partially completed by August of 2004. A summary of important achievements is provided below. For further detail, please refer to the Exhibit A "Status of Housing Element Implementation Programs," which provides extensive and more in-depth information.

Housing Goal 1: Conservation and Enhancement of Existing Residential Neighborhoods

Housing Goal 1 is the Conservation and Enhancement of Existing Residential Neighborhoods, with three specific policies that address that goal. Housing Policy 1A states the following: Maintain Existing Programs and Periodically Review and Modify those Programs Assisting Very Low and Low Income Homeowners and Rental Property Owners in the Repairing of the Housing Units. Three programs, implemented by the Housing Division, were developed to implement this goal and policies. The Neighborhood Home Improvement Program assisted 7 homeowners with rehabilitation loans funded by Redevelopment Agency affordable housing funds and federal Community Development Block Group (CDBG) funds during Fiscal Year (FY) 2004-2005.

Another 22 very low-income households received emergency repair grants during FY2004-2005. The Apartment Acquisition /Rehabilitation Program enabled the Glenview Apartments in Centerville to be acquired and rehabilitated. This acquisition created 70 affordable apartments. Also, rehabilitation work of Century Village, a 100-unit affordable rental apartment community, was completed during FY2004-2005. Century Village provides housing for extremely low and very low income households. A program to address rental housing property management trained Fremont property owners and managers in a one-day workshop sponsored by the Office of Housing and Redevelopment. The City's Community Preservation Division also continued to implement an Apartment Preservation Program to provide for rental units that are well maintained, safe and habitable.

Housing Policy 1B addresses capital improvement needs as follows: Identify and Program the Construction of Basic Neighborhood Improvements (Sidewalks, Street Trees, etc.) and Public Facilities (Roads, Lighting, etc.) in Areas Where they are Lacking or Substandard. This policy has two components: (1) a Redevelopment Area Program; and (2) a Citywide Program. The Redevelopment Program operates within the Centerville, Irvington and Niles commercial and residential neighborhoods and also within the Industrial area. Over the last 3 years, the following projects have been funded: Washington Grade Separation, I-880/Dixon Landing Road Interchange, I-880/Mission/Warren Interchange, Central Avenue widening and improvement, Bay Street streetscape, Centerville Train Depot Parking Lot and access, Bridgeway Expansion Street Improvements, Roberts Avenue Sidewalk Improvement, the Niles sign program, Pacific Commons Municipal Parcel Planning and Maintenance, Centerville Unified Site, Niles Veterans Hall Building, Façade Improvement and Commercial Rehabilitation Program, Irvington Post Office/Parking Options-Bay Street, Baine Avenue to Dusterberry Way Street Improvements, Joseph Street and Parish Avenue Sidewalk Improvements and Niles Town Plaza.

The Citywide Program has funded the following projects: Cape Sealing of Streets (\$600,054, FY04/05), Concrete Repair Program (\$550,000 FY04/05), Street Median Maintenance (\$2,950,636 FY04/05), Slurry Sealing of Streets (\$192,243 FY04/05), and Street Overlays (\$2,076,468 FY04/05). All of the investments described above make the areas more attractive and conducive to investment, particularly investments which result in improvements to existing residential neighborhoods.

Housing Policy 1C addresses working with the private sector and provides: Assist Private Initiatives to Maintain and Improve Neighborhoods and Homes. The City of Fremont continues to maintain staff liaison with the Irvington Business Association, Centerville Business Association, and Niles Commercial Property Owners Association. During the year, the City re-launched its Commercial Loan Rehabilitation Program and created a new Façade Improvement Grant Program to assist private property owners with grants and no-interest loans to help maintain their businesses located in the City's Redevelopment Project Areas. Also, nearly 147 City staff, Council members, on-duty police and firefighters participated in the 22nd anniversary of National Night Out in August, 2005. This group visited over 120 community block parties.

Housing Goal 2: High Quality and Well-Designed New Housing of All Types Throughout the City

This goal addresses the importance of developing and maintaining a high quality, attractive and diverse housing stock throughout the City. Housing Policy 2A states: The City Shall Continue to Apply Building Codes and Design Standards to Ensure That Development is of High Quality and Consistent with the Scale and Character of the Community. Adoption and implementation of the 2001 California building, plumbing, mechanical, electrical and fire codes pursuant to State law addresses this goal and policy. Local amendments to these uniform codes also address unique conditions in Fremont, such as the requirement for fire sprinklers in certain apartment buildings.

Housing Goal 3: Housing Affordable and Appropriate for a Variety of Fremont Households at all Economic Levels Throughout the City Consistent with the Hill Area Initiative of 2002

There are five separate Housing Policies to address this goal and each will be discussed separately.

Housing Policy 3A states: Adopt Appropriate Land Use Regulations and Other Development Tools to Encourage the Development of Affordable Housing, Consistent with the Hill Area Initiative of 2002. A total of nine programs have been identified to implement this policy. All nine of these programs have been completed, including:

- 1) Program 9, Amendment of the Land Use Element to eliminate step densities (**completed and adopted** May 13, 2003),
- 2) Program 10, Amendment of the Land Use Element to complement elimination of step densities and encourage higher densities (**completed and adopted** May 13, 2003), Program 10, Adopt Zoning Combining District or Land Use Range Enabler (**completed and adopted** July 12, 2005)
- 3) Program 11, Creation of a new R-3 zoning district to streamline multi-family development as well as encourage increased densities and affordability components (**completed and adopted** July 22, 2003),
- 4) Program 12, Creation of a new density bonus ordinance to reflect State Density Bonus law requirements (**completed and adopted** September 23, 2003), updated ordinance (**completed and adopted** April 12, 2005).
- 5) Program 13A, Development of Incentives Package for Affordable Housing Developments (**completed** in September, 2003)
- 6) Program 14, Modification of parking requirements to address parking needs by unit size and allow for modification of standards depending on proximity to transit corridors and facilities (**completed and adopted** July 22, 2003), and Changes to the Parking Ordinance for Multi-Family Parking (**completed and adopted** March 2, 2004)
- 7) Program 15, Revisions to existing standards and criteria for Mixed-Use Developments and inclusion of Mixed-Use Developments in various commercial districts (**completed and adopted** July 6, 2004), and
- 8) Program 16, Adoption of an Inclusionary Housing Ordinance (**completed and adopted** November 2002 with a 15 percent affordability component, and modified to provide greater flexibility in July 2004).

The completion of these nine programs satisfies the requirements of Housing Policy 3A. These programs have provided much of the groundwork necessary for subsequent General Plan redesignations and rezonings and for affordable housing production. Adoption of the Inclusionary Housing Ordinance, in particular, will provide for a consistent source of affordable units along with market rate housing production. In fact, the newly created system for tracking inclusionary units has identified the commitment of 41 below market rate units by market rate housing developers since inception.

Program 13B provides for ongoing assistance to affordable housing developments. Housing staff is currently working with Satellite Homes, in partnership with the Housing Consortium for the East Bay, as well as with Affirmed Housing and BRIDGE Housing to facilitate additional below market rate housing developments.

General Plan Redesignations and Rezonings

Housing Policy 3B has eight implementation programs (Programs 17-24). Housing Policy 3B requires designation of sufficient residentially-zoned land at appropriate densities to provide adequate sites for Fremont's new construction need for the period 2001-2006. This time period has subsequently been extended to 2007. These implementation programs are now complete. These General Plan redesignations and rezonings are detailed below by Program number. Groups of General Plan redesignations and rezonings occurred in December of 2003, July of 2004, December of 2004 and July of 2005. Private sector initiated redesignations and rezonings are also included.

Program 17 requires the periodic updating of the existing inventory of vacant and underutilized land. This list has been updated on a periodic basis. An inventory of land has been made available on the City of Fremont's web site, including information for interested persons about zoning, acreage, broker contact, etc. to facilitate interested persons finding available land.

Programs 18-22 concentrate on rezoning existing vacant or underutilized land, whether it is zoned residential, commercial or industrial.

Implementation of Program 18, redesignation of existing vacant or underutilized residential land, has occurred with the first group of redesignations and rezonings that were adopted by the City Council on July 13, 2004. Parcels representing 22 acres were redesignated and rezoned to various densities (15-18 dwelling units per acre (du/ac), 18-23 du/ac, 27-35 du/ac) to provide the opportunity to accommodate a total of 597 dwellings, conservatively estimated at the mid-point of the density ranges. Private sector redesignations and rezonings that fit into the Program 18 category (vacant or underutilized residential land) were also tracked and added to the overall count.

A second group of Program 18 redesignations and rezonings were adopted by the City Council on December 14, 2004. Parcels representing 16 acres were redesignated and rezoned to various densities (6.5-10, 11-15, 18-23, 23-27) to provide the opportunity to accommodate a total of 251 dwellings, again, conservatively estimated at the mid-point of the density ranges.

Implementation of Program 19, which emphasizes redesignation along transit corridors for the development of medium to very-high densities within close proximity to existing or planned transit sties, has occurred with the first group of redesignations and rezonings that were adopted by the City Council on July 13, 2004. Parcels representing 36.5 acres were redesignated and rezoned to various densities (5-7 du/ac, 23-27 du/ac, 27-35 du/ac, 35-50 du/ac) to provide the opportunity to accommodate a total of 850 dwellings, conservatively estimated at the mid-point of the density ranges. In this instance, no other private sector General Plan redesignation applications were determined to fall within this category.

Implementation of Program 20 has primarily occurred by private sector General Plan redesignation and rezoning. A total of 29.28 acres has been redesignated to various densities (5-7 du/ac, 6.5-10 du/ac) for a potential 152 dwellings.

Implementation of Program 21, which relates to redesignation and rezoning of commercially and industrially zoned and designated property, has occurred with the first group of redesignations and rezonings that were adopted by the City Council on July 13, 2004. Parcels representing 26.55 acres were redesignated and rezoned to various densities (5-7 du/ac, 18-23 du/ac, 23-27 du/ac) to provide the opportunity to accommodate a total of 441 dwellings, conservatively estimated at the mid-point of the density ranges. Private sector redesignations and rezonings that fit into this category were also tracked. Another City initiated redesignation and rezoning in this category, which occurred in December of 2003, was an 8.6 acre site on Grimmer Boulevard redesignated to 23-27 dwellings per acre, which could accommodate 215 dwellings at the mid-point of the density range. Applications from two housing developers (one for-profit and one non-profit) were approved by the Planning Commission and City Council in 2004.

A second group of Program 21 redesignations and rezonings were adopted by the City Council on December 14, 2004. Parcels representing 11.57 acres were redesignated and rezoned to various densities (15-18, 18-23) to provide the opportunity to accommodate a total of 238 dwellings, estimated at the mid-point.

On July 12, 2005, a final grouping of Program 21 sites was approved by the City Council. Parcels representing 55.91 acres were redesignated and rezoned to various densities (5-7, 15-18, 23-27, 50-70) to provide the opportunity to accommodate a total of 1,112 dwellings, estimated at the mid-point.

Another commercial redesignation, that of older shopping centers, is the primary purpose of Program 22. Implementation of this program occurred with the redesignation and rezoning of 22 acres in four different sites in December of 2003. The 22 acres were redesignated and rezoned to various densities (15-18 du/ac, 18-23 du/ac, 23-27 du/ac, and 27-35 du/ac) to provide the opportunity to accommodate 544 dwellings at the mid-point of the density range. In this instance, no other private sector General Plan amendments were determined to fall within this category.

The emphasis of Program 23 is to rezone sites with commercial designations to encourage mixed-use development that incorporates affordable housing units. As part of Program 15, explained in detail above, the City adopted comprehensive changes to the zoning code relative to mixed-use standards. Staff made some estimates about the possible number of residential units that could occur as a result of these changes and determined there could be approximately 253 units in the 6.5-10 du/ac range, approximately 48 units in the 15-18 du/ac range, approximately 137 units in the 18-23 du/ac range, and approximately 181 units in the 23-27 du/ac range. This assumes that 15 percent of the commercial land in which mixed use would be permitted would be developed with residential units as part of a mixed-use project. Density ranges were based on the size of the sites, with smaller sites (less than 1.5 acres) being developed at 6.5-10 du/ac and sites with 3 or more acres being developed at the 23-27 du/ac range. This is a reasonable and conservative estimate of the changes that could occur as a result of the new mixed-use standards.

Table 4
City-Initiated and Private Sector Accomplishments and Remaining Needs

			ACHIEVED								REMAINING				
Density Range (units / acre)	Proposed in Housing Element		Accomplished City-Initiated Tier I and Private Sector		City-Initiated Tier 2 and Private Sector (as of 12/14/04)		City-Initiated Tier 3 and Private Sector (1/1/05-7/12/05)		Accomplished + In Progress		Current Need		Remaining Adjusted	% accomplished	
	Land (acre)	Units	Land (acre)	Units	Land (acre)	Units	Land (acre)	Units	Land (acre)	Units	Land (acre)	Units	Adjusted Units	Land (acre)	Units
5-7	41.32	208	28.28	141	0.92	6	8.04	48	37.24	195	4.08	13	0	90%	100%
*6.5-10	49.37	483	33.23	279	0	0	0	0	33.23	279	16.14	204	0	67%	100%
11-15	21.25	245	13.97	181	11.84	153	0	0	25.81	334	-4.56	-89	-89	121%	136%
15-18	29.1	455	25.86	434	4.02	66	5	83	34.88	583	-5-.78	-128	-128	120%	128%
18-23	34.06	609	27.62	593	10.62	217	2.46	50	40.7	860	-6.64	-251	-34	120%	106%
23-27	57.89	1212	26.45	657	2.03	51	16.65	416	45.13	1,124	12.76	88	0	78%	100%
27-35	41.38	1255	36.1	1,113	0	0	0	0	36.1	1,113	5.28	142	0	87%	89%
*35-50	8.72	427	7.77	343	0	0	-5.65	-240	2.12	103	6.6	324	0	24%	100%
50-70	2.43	138	0	0	2.45	145	10.65	639	13.10	784	-10.67	-646	-92	539%	167%
Total	285.52	5,032	199.28	3,741	31.88	525	37.15	996	268.31	5,375	17.21	-343	-343	94%	107%

Table 4 illustrates how the City of Fremont has now met the requirement to rezone and redesignate land at various densities throughout the City of Fremont to accommodate 5,032 dwelling units. This table includes land rezoned and redesignated in the various programs 18-23, with both City-initiated and private sector-initiated rezonings and redesignations, and illustrates the need and accomplishments by density range in land acreage and units.

In the "Remaining" column, the negative numbers represent a surplus of units or acreage and the positive numbers represent the need. To compensate for the positive and negative numbers, some adjustments were made. To reach the required number of units generated for the 23-27 dwelling units per acre (du/ac) category and above, adjustments were made. By taking advantage of lands available that were not identified in the Housing Element inventory, the City rezoned more land at a higher density range (50-70 du/ac) than was originally intended. Greater efficiencies were produced with the higher density. For example, 10 acres at the 50-70 du/ac range could provide 600 units; 10 acres at the 23-27 du/ac range could provide 250 units. So, with the excess acreage at the 50-70 du/ac category, staff adjusted those surpluses down to fill in the final rezoning gap in the 23-27, 27-35 and 35-50 categories. The rationale for doing this is that the densities of 23-70 du/ac would all fall within the same type of unit – condominiums or apartments.

A similar rationale was used to adjust for unit deficits in the 5-7 and 6.5-10 du/ac categories. Surpluses in the 18-23 du/ac category were used to zero out the need in these lower categories.

These adjustments are accounted for in the "Remaining Adjusted" column. All density range categories have either been shown as zero, after the adjustment, or show the remaining surpluses. These adjustments account for the 94 percent completion rate for acreage to be rezoned and redesignated and the 107 percent completion rate for units to be accommodated.

The Annual Housing Report (this report) is the subject of Program 24. The report will be submitted to the Department of Housing and Community Development (HCD) and Office of Planning and Research (OPR) prior to the October 1 deadline.

Housing Policy 3C (Programs 25-29) encourages the development of a diverse housing stock that provides a range of housing projects at a range of affordability levels which are equally distributed throughout the City. Of the five implementation programs, two will be highlighted. Program 25, which was to eliminate discretionary review in the City's Secondary Dwelling Unit application process, as required by State law, was completed in July of 2003. A comprehensive Zoning Text Amendment relative to second unit standards was approved by the City Council on March 2, 2004.

Progress has also been made with Program 27, which encourages the development of larger sized units for households of low and moderate incomes. The City's Redevelopment Agency adopted an "Affordable Housing Investment Strategy" to encourage the development of those units. A total of 139 three-bedroom units were approved to date as part of this strategy, as detailed in Exhibit A.

Housing Policy 3D (Programs 30-34) emphasizes the development and utilization of funding resources to maximize affordable housing development. Three of the five implementation programs will be described here. As part of Program 32, the Redevelopment Agency was awarded a \$97,720 State Workforce Housing Grant to support future affordable housing and public improvement projects.

The Impact Fee Deferral Program was approved by Council in March 2003 to assist housing developments that receive Affordable Housing Fund financial support. To date, 3 affordable housing developers have taken advantage of the deferral program, saving them thousands in interest costs.

The purpose of Program 34 is to implement the Redevelopment Agency's Affordable Housing Strategy, which includes the directive that 80 percent of the Agency's financial resources reserved for new housing construction be directed to rental housing developments for extremely low, very low and lower income households. During the 2002-05 time frame, 422 units were approved for development or had existing units provided with affordability restrictions.

Housing Policy 3E (Programs 35-37) emphasizes the importance of preserving the existing affordable housing stock. Three implementation programs are associated with Policy 3E and one will be highlighted. As part of Program 35, which assists low income families with move-in costs or other financial assistance, the City provided screening for over 250

households, issued 25 loan guarantees, provided support counseling to over 190 individuals and followed up on 60 program loans to ensure participants are making timely payments on their loan guarantee.

Implementation Program 35 targets the preservation of affordable housing units at risk of converting to market rate units. In Fiscal Year 2004-2005, this program preserved thirty-eight "at risk" senior units.

Housing Goal 4: A Continuing Leadership Role in Regional Efforts to Maintain and Expand the Range of Housing Alternatives in the San Francisco Bay Area

Housing Goal 4 (Programs 38 and 39) has one policy and two implementing programs. Housing Policy 4A states the following: Workable Local programs to Meet Housing Needs. Implementing Program 38, Support for Non-Profit Affordable Housing Providers, resulted in the City Council Resolution proclaiming June 4-12, 2005 Affordable Housing Week in Fremont and recognition of Satellite Homes and the Bay Area Coalition of Deaf Seniors for their lead role in partnering with government and other organizations to create Fremont Oak Gardens.

Housing Goal 5: Ensure That All Persons Have Equal Access to Housing Opportunities

This goal has two policies and eight implementation programs. Housing Policy 5A's purpose is to enforce regulatory measures to protect individual rights. The two implementation programs (Programs 40 and 41) establish a policy whereby the City will provide rent increase dispute resolution and fair housing counseling services. The City's provider of these services, Fremont Fair Housing Services, investigated 40 housing discrimination cases and responded to over 714 fair housing inquiries during the reporting period.

Housing Policy 5B (Programs 42-47) emphasizes the importance of serving households with special needs, particularly seniors, the disabled and homeless. The six implementation programs provide a variety of services to address these needs and are detailed in Exhibit A.

III. STATUS OF GENERAL PLAN ACTIVITIES

This section of the report will focus on General Plan Amendments (GPAs) from July 1, 2004 to June 30, 2005. There were a total of nineteen General Plan Amendments approved during this time period. Thirteen of the GPAs were City-initiated General Plan Amendments, four were private sector initiated General Plan Amendments and two were City-initiated General Plan Text Amendments.

There were fifteen General Plan Land Use Amendments and one General Plan Text Amendment related to residential development. The various City-initiated General Plan Amendments associated with Implementation of Housing Element Implementation Programs 18-23 accounted for twelve of the GPA's. These redesignations occurred on July 13, 2004, December 14, 2004 and April 12, 2005. The three private sector initiated General Plan Amendments were the Marlais development on Mission Boulevard (3 units) approved by City Council on July 13, 2004, the Atria Townhomes on Fremont Boulevard (14 to 16 units) and H & K Development Company project on Union Street and High Street (12 units) approved by the City Council on April 12, 2005. On April 12, 2005, a General Plan Text Amendment was approved by the City Council which amended the Land Use Chapter of the General Plan in order to integrate the requirements of the new State Law (e.g., California Government Code Section 65915) relating to density bonus regulations. The changes amended the requirements and density bonus given to developers who seek and agree to construct affordable units in exchange for increased density.

There was one other General Plan Text Amendment approved during this time period. On July 13, 2004, the City Council adopted changes to Chapter 10 (Health and Safety) of the General Plan to reflect the revised Fire Department response time standards. The revised response time is five minutes 30 seconds for 90 percent of all emergency calls. Since the Comprehensive General Plan update in 1991, several changes have occurred to strengthen the City of Fremont's fire prevention efforts. In addition to the proposed changes to the response time, changes were made to other portions of the Fire Hazards and Emergency Response section of Chapter 10 to reflect the City's strengthened fire prevention efforts.

There were two non-residential General Plan Amendments (i.e., one city-initiated and one private sector initiated) approved during this time period. The city-initiated General Plan Amendment was for a redesignation (approved by the City Council on July 13, 2004) from residential density (Residential 5-7 du/ac) to Institutional Open Space for Marshall Park to bring the land use designation into conformity with the property's existing and future planned park use. The private sector initiated non-residential General Plan Amendment was approved on September 14, 2004 by the City Council to place an historic property known as the Grimmer Residence (located on Bay Street) on the City's List of Primary Historic Resources. Placement on the list was to allow the property owners to apply for the Mills Act contract with the City of Fremont as well as be eligible for a parking waiver as part of the Bay Street Planned District and associated Design Guidelines and Streetscape Plan. The parking waiver facilitated the reuse of the building and retained the historic nature of the property.

The City of Fremont is going to start an update of the General Plan in the fall of 2005.

Enclosures: HCD Letter of Certification, dated July 17, 2003
Neighborhood Home Improvement Program Brochure
Affordable Housing Brochure
Exhibit A lists the Housing Element's goals, objectives and implementing measures and a commentary on progress towards achieving them during Fiscal Year 2004 through 2005.

Exhibits: Exhibit A lists the Housing Element's goals, objectives and implementing measures and a commentary on progress towards achieving them during Fiscal Year 2004 through 2005.

Recommended Actions:

1. Hold public hearing.
2. Recommend the City Council find the Annual Report is statutorily exempt under CEQA Guidelines, Section 15262, Feasibility and Planning Studies.
3. Recommend the City Council find that the Annual Report of the General Plan and Housing Element accurately depicts the current status of the City of Fremont with respect to the General Plan and Housing Element.